

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

WEISS LAW, P.C.,
Plaintiff,

v.

AWRISH BUILDERS, et al.,
Defendants.

Case No. [19-cv-02258-SI](#)

**ORDER RE PLAINTIFF'S MOTION
FOR AN ORDER TO SHOW CAUSE**

Re: Dkt. No. 90

The parties in the instant action completed arbitration and plaintiff then sought an order from this Court affirming the arbitration award. Dkt. No. 85 (Motion to Confirm Arbitration Award). On May 25, 2021, the Court granted plaintiff's motion and confirmed the award, stating:

The Court hereby GRANTS plaintiff's unopposed motion, confirming the Arbitrator awarded plaintiff "20% of the fund that the Army Corps of Engineers paid in October 2019 to settle the appeal of Awrish Builders in ASBCA Case No. 60446." Dkt. No. 85-1 at 14 (emphasis in original).

Dkt. No. 87 (Order Affirming Arbitration Award).

On June 21, 2021, plaintiff filed a motion for an order to show cause why (1) Awrish Builders, Abdul Moqem Mohmand, Faisal Rahim (Collectively, the "Defendants"), (2) United States Army Corps of Engineers ("USACE"), (3) Fox Rothschild, LLP, & Douglas P. Hibshman (the escrow agency and agent, respectively) ((2) and (3) collectively, the "Non-Parties") should not be found in civil contempt of the Court's order affirming the arbitration award and Final Judgment in favor of plaintiff because plaintiff had yet to be paid.

Plaintiff's motion for an order to show cause came before the Court for hearing on July 30, 2021. The Court ORDERS as follows:

(1) Defendants must approve release of 20% of the above referenced fund to plaintiff on or

1 before 15 days from the date of this order, by so signing escrow instructions.

2 (2) If defendants fail to approve release of the funds within 15 days of the date of this order by
3 signing escrow instructions, the Court ORDERS the requirement necessitating defendants'
4 signature to release the escrow funds is waived. The non-parties – the escrow agency and
5 the USACE – may release 20% of the above referenced fund with impunity.

6 (3) Upon receipt of the funds, plaintiff shall issue a 1099 to the escrow agent.

7 (4) Plaintiff's request to hold the parties and non-parties in contempt is DENIED.

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9 **IT IS SO ORDERED.**

10 Dated: July 30, 2021



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12 SUSAN ILLSTON
13 United States District Judge
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